

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**DAVID MURRAY,**

**Plaintiff,**

**v.**

**CITY OF COLUMBUS, et al.,**

**Defendants.**

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**Case No. 2:10-CV-797**

**JUDGE ALGENON L. MARBLEY**

**Magistrate Judge Mark R. Abel**

**ORDER**

This matter is before the Court on a “Motion to Dismiss by Defendants, the City of Columbus and Mitchell Brown.” (Doc. 7.) On January 18, 2012, this Court held a telephonic status and scheduling conference, at which time Magistrate Judge Abel GRANTED Plaintiff leave to file an amended complaint and set a new date by which Defendants are required to file a motion to dismiss the amended complaint. (Doc. 32.) According to the Court’s Amended Scheduling Order, Defendants are required to file a motion to dismiss the amended complaint on or before February 17, 2012. *Id.* Due to Plaintiff’s Amended Complaint, (Doc. 27), and this Court’s Amended Scheduling Order, (Doc. 32), the “Motion to Dismiss by Defendants, the City of Columbus and Mitchell Brown,” (Doc. 7), is hereby dismissed as **MOOT**.

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**United States District Court Judge**

**DATE: February 7, 2012**